IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

SMART, INC.,

Plaintiffs,

vs.

VIRGIN ISLANDS HOUSING AUTHORITY, VIRGIN ISLANDS HOUSING OPPORTUNITIES CORPORATION, VIRGIN ISLANDS HOUSING REVITALIZATION CORPORATION, and RAY FONSECA,

Defendants.

CIVIL NO. 2003/63

ACTION FOR
BREACH OF CONTRACT
AND DEFAMATION

ORDER FOR DISMISSAL OF COUNTS 4 AND 5 OF THE FIRST AMENDED COMPLAINT AND DEFENSANT RAY FONSECA WITH PREJUDICE

The plaintiff, **SMART, INC.**, and the defendants **VIRGIN ISLANDS HOUSING AUTHORITY** and **RAY FONSECA**, having stipulated for the dismissal with prejudice of the plaintiff's claims in Counts 4 and 5 of the First Amended Complaint for damages for business defamation and injurious falsehood, which comprise all of the Plaintiff's claims against Defendant Ray Fonseca, each party having agreed to bear their own costs and attorney's fees, and the Court being sufficiently advised in the premises and good and sufficient cause appearing therefor, it is now, therefore

ORDERED that the plaintiff's claims in Counts 4 and 5 of the First Amended Complaint for damages for business defamation and injurious falsehood be, and they hereby are **DISMISSED WITH PREJUDICE.** , and it is further

SMART, INC. vs. VIRGIN ISLANDS HOUSING AUTHORITY, et al.
DCVI/STT&STJ Civil No. 2003/63
JUDGMENT OF DISMISSAL

ORDERED that Defendant Ray Fonseca shall be **DISMISSED WITH PREJUDICE** as a party to this action, and it is further,

ORDERED that the remaining claims of Smart, Inc. against the Virgin Islands Housing Authority for breach of contract and wrongful termination as asserted in Counts 1 through 3 of the First Amended Complaint shall remain in full force and effect.

ENTERED this 21 day of June, 2007.

JUDGE OF THE DISTRICT COURT
OF THE VIRGIN ISLANDS

A T T E S T:

WILFREDO MORALES
Clerk of the Court

By: _____
Deputy Clerk

DISTRICT LIST:

CAROL A. RICH, ESQ.	[FAX NO. 340-776-8044]
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CLERK OF THE COURT	